

PUBLIC MATERIALS FOR  
*SECOND* PUBLIC WORKSHOP,  
REQUEST FOR COMMENTS AND  
CONSIDERATION OF RECOMMENDATIONS OF THE  
LEGISLATIVE AND DENTAL PRACTICE ACT RESOURCE  
GROUP

JANUARY 24, 2014  
10:00 AM

## PROPOSED AMENDMENTS, CHANGES OR REPEALS

**NAC 631.029 Schedule of fees.** ([NRS 631.190](#), [631.240](#), [631.345](#)) The Board will charge and collect the following fees:

Application fee for an initial license to practice dentistry if the applicant has successfully passed a clinical examination administered by the Western Regional Examining Board or a clinical examination approved by the Board and the American Board of Dental Examiners and administered by a regional examination organization other than the Board.....	\$1,200
<del>Application and examination fee for an initial license to practice dentistry if the examination is approved by the Board and the American Board of Dental Examiners and administered by the Board.....</del>	<del>1,500</del>
<del>Fee for administering a clinical examination in dentistry.....</del>	<del>2,090</del>
Application fee for an initial license to practice dental hygiene.....	600
<del>Fee for administering a clinical examination in dental hygiene.....</del>	<del>975</del>
<del>Application fee for a temporary license to practice dentistry.....</del>	<del>1,200</del>
<del>Application fee for a temporary license to practice dental hygiene.....</del>	<del>600</del>
Application fee for a specialty license by credential.....	1,200
Application fee for a temporary restricted geographical license to practice dentistry.....	600
Application fee for a temporary restricted geographical license to practice dental hygiene.....	150
Application fee for a specialist's license to practice dentistry.....	125
Application fee for a limited license or restricted license to practice dentistry or dental hygiene.....	125
Application and examination fee for a permit to administer general anesthesia, conscious sedation or deep sedation.....	<del>350</del> 750
Application and examination fee for a site permit to administer general anesthesia, conscious sedation or deep sedation.....	<del>350</del> 750
Fee for any reinspection required by the Board to maintain a permit to administer general anesthesia, conscious sedation or deep sedation.....	<del>250</del> 500
Biennial renewal fee for a permit to administer general anesthesia, conscious sedation or deep sedation.....	<del>100</del> 300
Fee for the inspection of a facility required by the Board to renew a permit to administer general anesthesia, conscious sedation or deep sedation.....	<del>100</del> 350

Biennial license renewal fee for a general license or specialist's license to practice dentistry.....	600
<del>Biennial license renewal fee for a temporary license to practice dentistry.....</del>	<del>600</del>
Biennial license renewal fee for a restricted geographical license to practice dentistry.....	600
Biennial license renewal fee for a restricted geographical license to practice dental hygiene.....	300
Biennial license renewal fee for a general license to practice dental hygiene.....	300
<del>Biennial license renewal fee for a temporary license to practice dental hygiene</del>	<del>300</del>
Annual license renewal fee for a limited license to practice dentistry or dental hygiene.....	<del>200</del> 300
Annual license renewal fee for a restricted license to practice dentistry.....	100
Biennial license renewal fee for an inactive dentist.....	200
Biennial license renewal fee for an inactive dental hygienist.....	50
Reinstatement fee for a suspended license to practice dentistry or dental hygiene.....	<del>200</del> 300
Reinstatement fee for a revoked license to practice dentistry or dental hygiene	<del>350</del> 500
Reinstatement fee to return an inactive or retired dentist or dental hygienist or a dentist or dental hygienist with a disability to active status.....	<del>200</del> 300
Fee for the certification of a license.....	25
Fee for the certification of a license to administer nitrous oxide or local anesthesia.....	25
Fee for a duplicate wall certificate.....	25
Fee for a duplicate pocket card receipt.....	25
Application fee for converting a temporary license to a permanent license.....	125
Fee for an application packet for an examination.....	25
Fee for an application packet for licensure by credentials.....	25

**~~NAC 631.031 Hearing to determine qualifications if claim of malpractice is pending disposition. (NRS 631.190, 631.230, 631.290)~~**

**~~1. The Executive Director or Secretary Treasurer shall notify the Board if the Executive Director or Secretary Treasurer finds that an applicant for the issuance of a license pursuant to~~**

~~chapter 631 of NRS has a claim or complaint of malpractice that is filed against him or her and is pending disposition.~~

~~— 2. Except as otherwise provided in subsection 3, if the Board receives the notification described in subsection 1, the Board will hold a hearing to determine the qualifications of the applicant to practice dentistry or dental hygiene, as applicable.~~

~~— 3. The Board may approve an application for the issuance of a license without holding a hearing pursuant to subsection 2 if the Board determines that the application contains sufficient information to support a decision to approve the application.~~

~~— (Added to NAC by Bd. of Dental Exam'rs by R159-08, eff. 4-23-2009) *REPEAL*~~

~~**NAC 631.039 Application for permanent license by holder of temporary license.** (NRS 631.190, 631.220, 631.272) A person who wishes to apply for a permanent license to practice dentistry or dental hygiene after holding a temporary license to practice dentistry or dental hygiene for a minimum of 2 years pursuant to subsection 2 of NRS 631.272 or subsection 2 of NRS 631.273, as applicable, must submit to the Board proof that he or she actively practiced dentistry or dental hygiene in this State during the 2 years in which he or she held the temporary license.~~

~~— (Added to NAC by Bd. of Dental Exam'rs by R169-01, eff. 4-5-2002; A by R158-08, 12-17-2008) *REPEAL*~~

**NAC 631.045 Renewal of license: Certified statement required.** (NRS 631.190) A licensed dentist who owns an office or facility where dental treatments are to be performed in this State must, on the application for renewal of his or her license, execute a certified statement that includes:

1. The location of each office or facility owned by the licensed dentist where dental treatments are to be performed;

2. The name and address of each employee, other than a licensed dentist or dental hygienist, who assists at the office or facility in procedures for infection control and the date the employee began to assist in procedures for infection control at the office or facility; and

3. A statement that each employee identified in subsection 2:

(a) Has received adequate instruction concerning procedures for infection control; and

(b) Is qualified to:

(1) Operate sterilization equipment and other equipment in compliance with the guidelines adopted by reference in NAC 631.178; and

(2) Perform all other applicable activities in compliance with the guidelines adopted by reference in NAC 631.178.

***4. A dentist who holds a valid Nevada Control Substance Permit shall conduct a minimum of one self query annually to the Nevada State Board of Pharmacy Task Force Division regarding the issuance of controlled substances.***

(Added to NAC by Bd. of Dental Exam'rs by R201-09, eff. 8-13-2010)

~~**NAC 631.060 Reapplications.** (NRS 631.190, 631.220) An applicant who is denied licensure for a reason other than his or her failure to pass an examination may not reapply until he or she requests and receives the permission of the Board to do so.~~

~~— [Bd. of Dental Exam'rs, § VI, eff. 7-21-82] (NAC A by R169-01, 4-5-2002) *REPEAL*~~

~~**NAC 631.080 Examination: Authorization required; cheating prohibited.** (NRS 631.190, 631.240, 631.300)~~

~~— 1. An applicant must have obtained the Board's written authorization before he or she may take the examination. He or she must take the examination at the times and places set forth in the authorization.~~

~~— 2. An applicant shall not use or possess any note or cheating aid during any part of the examination. Any use or possession of a test aid will result in a score of zero and is sufficient evidence of the applicant's unfitness to receive licensure.~~ *REPEAL*

~~**NAC 631.100 Examination for license to practice dental hygiene. (NRS 631.190, 631.300)**~~  
~~In fulfillment of the requirements of paragraph (b) of subsection 2 of NRS 631.300, the applicant must:~~

~~— 1. Perform an oral prophylaxis on patients, the number to be determined by the Board, whose teeth have a sufficient amount of stain and calculus to permit the applicant to demonstrate the ability to remove any stain and calculus; and~~

~~— 2. Perform such other procedures as the Board requests.~~

~~— [Bd. of Dental Exam'rs, § XIV, eff. 7-21-82] — (NAC A 7-31-85, eff. 8-1-85; 12-15-87; 9-6-96)~~ *REPEAL*

~~**NAC 631.120 Examinations: Procedure for practical portion. (NRS 631.170, 631.190, 631.240, 631.300)**~~

~~— 1. The practical part of the dentist's or dental hygienist's examination must be performed in the presence of a quorum of the examining members of the Board. Examiners appointed by the Board to conduct examinations pursuant to NRS 631.170 may be counted in determining whether a quorum is present as set forth in subsection 3 of NRS 631.170.~~

~~— 2. Each applicant must furnish his or her own patients, materials and instruments for the examination. The Board will furnish the dental chair and light.~~

~~— 3. At the end of each day of the practical part of the examination, the Board will collect and safely store all of the materials and work of each applicant. The materials and work will be returned at the beginning of the next day of the examination. The applicant is responsible for all of his or her equipment and instruments, except as otherwise directed by instructions given at the examination.~~

~~— 4. The applicant may not bring any study models or impressions into the examination room except as allowed by instructions given at the examination.~~

~~— [Bd. of Dental Exam'rs, § XIII, eff. 7-21-82] — (NAC A 4-3-89; R023-06, 9-18-2006)~~

*REPEAL*

~~**NAC 631.130 Examinations: Requirements for successful completion; notice of results. (NRS 631.190, 631.240, 631.300)**~~

~~— 1. To complete successfully any examination given by the Board, a person must:~~

~~— (a) Receive a passing score in the applicable examination required by NRS 631.240 or 631.300; and~~

~~— (b) Complete the entire examination.~~

~~— 2. The Board will mail each applicant a notice of the results of his or her examination.~~

~~— [Bd. of Dental Exam'rs, § IX, eff. 7-21-82] — (NAC A 12-15-87; 7-22-88)~~ *REPEAL*

**NAC 631.145 Dental hygienists: Expiration and renewal of special endorsement of license to practice public health dental hygiene. ([NRS 631.190](#), [631.287](#))**

1. A special endorsement of a license that allows a dental hygienist to practice public health dental hygiene issued by the Board ~~is valid for 1 year after the date of issuance~~ *may be renewed biennially.*

2. A dental hygienist may apply to renew the special endorsement of his or her license by submitting a report summarizing the services performed by the dental hygienist under the authority of the special endorsement in the prior year.

(Added to NAC by Bd. of Dental Exam'rs by R231-03, eff. 5-25-2004)

**NAC 631.1785 Licensed dentist to request initial inspection of office or facility. ([NRS 631.190](#), [631.363](#))**

1. Not later than 30 days after a licensed dentist becomes the owner of an office or facility in this State where dental treatments are to be performed, other than a medical facility as defined in [NRS 449.0151](#), the licensed dentist must request in writing that the Board conduct an initial inspection of the office or facility to ensure compliance with the guidelines adopted by reference in [NAC 631.178](#).

2. Not later than 90 days after receiving a written request pursuant to subsection 1:

- (a) The Executive Director shall assign agents of the Board to conduct the inspection; and
- (b) The agents shall conduct the inspection.

3. Not later than 30 days after agents of the Board have completed the initial inspection of an office or facility to ensure compliance with the guidelines adopted by reference in [NAC 631.178](#), the agents shall issue a report to the Executive Director indicating whether the office or facility is equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#). If the report indicates that the office or facility:

(a) Is equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist who owns the office or facility.

(b) Is not equipped in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice which identifies deficiencies to the licensed dentist who owns the office or facility.

4. Not later than 72 hours after issuing a written notice of deficiencies pursuant to paragraph (b) of subsection 3:

(a) The Executive Director shall assign agents of the Board to conduct a reinspection of the office or facility to determine if the licensed dentist and the personnel supervised by the dentist have taken corrective measures; and

(b) The agents assigned pursuant to paragraph (a) shall conduct the reinspection and issue a report to the Executive Director indicating whether the licensed dentist and the personnel supervised by the dentist are in compliance with the guidelines adopted by reference in [NAC 631.178](#). If the report indicates that the licensed dentist and the personnel supervised by the dentist:

(1) Are in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director shall, without any further action by the Board, issue a written notice of the agents' findings to the licensed dentist who owns the office or facility.

(2) Are not in compliance with the guidelines adopted by reference in [NAC 631.178](#), the Executive Director may, without any further action by the Board, issue an order to the licensed dentist who owns the office or facility and all other licensees employed at the office or facility that any or all of those licensees or personnel must immediately cease and desist from performing dental treatments and that some or all dental treatments must cease to be performed at the office or facility until a hearing is held before the Board. The hearing before the Board must be convened not later than 30 days after the Executive Director issues the order to cease and desist.

*5. Pursuant to subsection 3 of NRS 233B.127, if an initial inspection of an office or facility conducted pursuant to this section indicates that the public health, safety or welfare imperatively requires emergency action, the President of the Board may, without any further action by the Board, issue an order of summary suspension of the license of the licensed dentist who owns the office or facility and the licenses of any or all of the other licensees employed at the office or facility pending proceedings for revocation or other action. An order for summary suspension issued by the President of the Board must contain findings of the exigent circumstances which warrant the issuance of the order for summary suspension. The President of the Board shall not participate in any further proceedings relating to the order.*

(Added to NAC by Bd. of Dental Exam'rs by R201-09, eff. 8-13-2010)

~~**NAC 631.180 Employment as an instructor. (NRS 631.190)**~~

~~—1. Except as otherwise provided in subsection 2, a dentist or dental hygienist who currently holds an active license from another jurisdiction in the United States may be employed in this State in an accredited educational institution to instruct the students of the institution.~~

~~—2. The dentist or dental hygienist must apply for and successfully complete the appropriate examination for licensure administered by the Board within 1 year after the date of his or her employment to retain the right to be so employed.~~

~~—[Bd. of Dental Exam'rs, § XXVIII, eff. 7-21-82] (NAC A by R169-01, 4-5-2002)~~

**REPEAL**

~~**NAC 631.2207 Application for limited license to supervise courses of continuing education. (NRS 631.190, 631.215, 631.2715)** An applicant for a limited license to supervise courses of continuing education involving live patients at a registered facility must provide the following information and documentation in his or her application:~~

~~—1. The date and place of his or her birth;~~

~~—2. Certification of graduation from an accredited dental school or college or from an accredited school or college of dental hygiene, whichever is applicable;~~

~~—3. Whether the applicant has applied for similar licensure in another state or territory of the United States or the District of Columbia and, if so, the name of the state or territory or the District of Columbia, the date and the result of the application;~~

~~—4. If the applicant has practiced dentistry or dental hygiene in another state or territory of the United States or the District of Columbia, certification from the licensing authority of each state or territory or the District of Columbia in which the applicant has practiced or is practicing that the applicant is in good standing and that there are not any disciplinary proceedings pending~~

against the applicant in the other state or territory or the District of Columbia which may affect his or her standing;

~~— 5. Whether the applicant has terminated or attempted to terminate a license from another state or territory of the United States or the District of Columbia and, if so, his or her reasons for doing so;~~

~~— 6. If the applicant is not a natural born citizen of the United States, a copy of his or her certificate of naturalization or other document attesting that the applicant is legally eligible to reside and work in the United States;~~

~~— 7. Whether the applicant has ever been convicted of a crime involving moral turpitude or has entered a plea of nolo contendere to a charge of such a crime and, if so, the date and place of the conviction or plea and the sentence, if any, which was imposed;~~

~~— 8. Whether the applicant has had any misdemeanor or felony convictions and, if so, any documents relevant to the misdemeanor or felony convictions;~~

~~— 9. Whether any malpractice judgment has been entered against the applicant and, if so, any documents relevant to the malpractice judgment;~~

~~— 10. Whether the applicant has a history of substance abuse and, if so, any documents relevant to the substance abuse;~~

~~— 11. Whether the applicant has been refused permission to take an examination for licensure by any other state or territory of the United States or the District of Columbia and, if so, any documents relevant to the refusal;~~

~~— 12. Whether the applicant has been denied licensure by this State, any other state or territory of the United States, or the District of Columbia, and, if so, any documents relevant to the denial;~~

~~— 13. Whether the applicant has had his or her license to practice dentistry or dental hygiene suspended, revoked or placed on probation in this State, another state or territory of the United States, or the District of Columbia, and, if so, any documents relevant to the suspension, revocation or probation;~~

~~— 14. Whether the applicant's practice of dentistry or dental hygiene has been subject to mandatory supervision in this State, another state or territory of the United States, or the District of Columbia, and, if so, any documents relevant to the mandatory supervision;~~

~~— 15. Whether the applicant has received a public reprimand or is currently involved in any disciplinary action concerning his or her license to practice dentistry or dental hygiene in this State, another state or territory of the United States, or the District of Columbia and, if so, any documents relevant to the reprimand or disciplinary action; and~~

~~— 16. Two sets of certified fingerprint cards and an authorization form allowing the Board to submit the fingerprint forms to law enforcement agencies for verification of background information.~~

~~— (Added to NAC by Bd. of Dental Exam'rs by R200-09, eff. 8-13-2010) *REPEAL*~~

**NAC 631.260 Radiographic procedures: Lead apron required; certified statement and proof of qualifications required for certain persons who assist in procedures. ([NRS 631.190](#))**

1. Each patient who is undergoing a radiographic procedure must be covered with a lead apron.

2. Each licensee who employs any person, other than a dental hygienist, to assist him or her in radiographic procedures shall include with his or her application for annual renewal of his or her license:

(a) A certified statement containing the name of each person so employed, his or her position and the date he or she began to assist the licensee in radiographic procedures; and

(b) ~~Proof~~ *Attest* that the employee has received adequate instruction concerning radiographic procedures and is qualified to operate radiographic equipment as required pursuant to subsection 3 of NAC 459.552.

(c) *Attest that the employee has received cardiopulmonary resuscitation training every two years*

(d) *Attest that the employee has received a minimum of four hours of infection control continuing education training every two years*

[Bd. of Dental Exam'rs, § XXV, eff. 7-21-82]—(NAC A 7-30-84; 9-13-85; 9-6-96)